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PPLICATION NO).	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/117,838		08/12/1998	OLEG LLIICH EPHSTEIN	841/003	4128
83336	7590	04/13/2009		EXAMINER	
Kaplan G		ergament LLP			
Woodbridge, NJ 07095				ART UNIT	PAPER NUMBER

DATE MAILED: 04/13/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notification of Non-Compliant Appeal Brief		Application No.	Applicant(s)			
		10/757,667	KINNEY ET AL.			
***	(37 CFR 41.37)	Examiner	Art Unit			
		Vinod, Kumar	1638			
	The MAILING DATE of this communication app	pears on the cover sheet with the	correspondence address			
The Appeal Brief filed on 17 March 2009 is defective for failure to comply with one or more provisions of 37 CFR 41.37.						
To avoid dismissal of the appeal, applicant must file anamended brief or other appropriate correction (see MPEP 1205.03) within ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.						
1. 🛚	The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.					
2. 🗌	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).					
3. 🗌	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).					
4. 🛚	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).					
5. 🗌	The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))					
6.	The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).					
7. 🗌	The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).					
8.	The brief does not contain copies of the evident other evidence entered by the examiner and restatement setting forth where in the record that thereto (37 CFR 41.37(c)(1)(ix)).	elied upon by appellant in the a	appeal, along with a			
9. 🗌	The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR $41.37(c)(1)(x)$).					
10.	Other (including any explanation in support of t	the above items):				
	Section V is a improper heading should read " Sums subject matter must identify and map all independer paragraph number and / or drawings if any	nt claims separately on appeal to spe				